

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

FLAME S.A.,

Plaintiff,

GLORY WEALTH SHIPPING PTE LTD.

Consolidated Plaintiff,

-against-

INDUSTRIAL CARRIERS, INC., et al.,

Defendants.

Civil Action No: 2:13cv658-RGD-LRL
2:13cv704-RGD-LRL

**CONSOLIDATED PLAINTIFF GLORY WEALTH SHIPPING PTE LTD.'S MOTION
FOR RECONSIDERATION AND FOR SANCTIONS**

Consolidated Plaintiff Glory Wealth Shipping Pte Ltd., (“Glory Wealth”), by counsel, pursuant to Rules 37 and 54 of the Federal Rules of Civil Procedure, respectfully requests the Court reconsider certain parts of its discovery order dated April 30, 2014. Glory Wealth also asks the Court to impose certain evidentiary sanctions against Defendant Freight Bulk PTE (“Freight Bulk”) in light of Freight Bulk’s continued failure to comply with this Court’s discovery orders.

For the reasons stated more fully in the accompanying Memorandum in Support, Glory Wealth requests that the Court order its discovery ruling to expand the scope of discovery to include all entities owned or controlled by Viktor Baranksyi. Glory Wealth recently obtained deposition testimony showing that Viktor Baranskyi fails to maintain distinctions between his various entities, beyond the Named Defendants and as such, the scope of discovery should be expanded. In addition, Freight Bulk has failed to produce documents that were the subject of this

impose sanctions against Freight Bulk, including but not limited to, evidentiary sanctions to be imposed at trial of this matter, an award of attorney's fees in favor of Glory Wealth, or any such other sanctions in the Court's discretion.

WHEREFORE, for the foregoing reasons, Glory Wealth respectfully requests that its Motion should be granted and the Court should modify its previous discovery orders, impose sanctions, and grant Glory Wealth and Plaintiff S.A. all other just and necessary relief.

Dated: July 16, 2014

BY: Holland & Knight LLP

/s/ James H. Power
James H. Power (admitted *pro hac vice*)
31 West 52nd Street,
New York, NY 10019
(212) 513-3200
(212) 385-9010 (facsimile)
James.power@hklaw.com

/s/ Michelle T. Hess
Michelle Hess (VSB#71080)
31 West 52nd Street,
New York, NY 10019
(212) 513-3200
(212) 385-9010 (facsimile)
michelle.hess@hklaw.com

*Attorneys for Consolidated Plaintiff
Glory Wealth Shipping Pte*

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of July, 2014, I electronically filed a true and correct copy with the Clerk of Court using the CM/ECF system, which will then send a notification of the filing to the following counsel of record:

Patrick M. Brogan
DAVEY & BROGAN, P.C.
101 Granby Street, Suite 300
Norfolk, Virginia 23510
pbrogan@daveybroganpc.com

Sergei Kachura
LAW OFFICES OF SERGEI KACHURA
311 North Center Avenue
Brownwood, TX 76801
svkachura@yahoo.com
Attorneys for Defendant Freight Bulk Pte. Ltd

Steven M. Stancliff
CRENSHAW, WARE & MARTIN, P.L.C.
150 W. Main Street, Suite 1500
Norfolk, VA 23510
sstancliff@cwm-law.com

Lauren Brooke Wilgus
William Robert Bennett III
Nicholas Robert Tambone
BLANK ROME LLP
405 Lexington Avenue
The Chrysler Building
New York, New York 10174
lwilgus@blankrome.com
wbennett@blankrome.com
NTambone@BlankRome.com
Attorneys for Plaintiffs Flame S.A.

Mark T. Coberly
Dustin M. Paul
VANDEVENTER BLACK LLP
101 W. Main Street
500 World Trade Ctr
Norfolk, VA 23510
mcoberly@vanblk.com
dpaul@vanblk.com
Attorneys for Interested Party Vitol S.A.

John Joseph Reilly
Paul Myung Han Kim
SQUIRE SANDERS LLP
30 Rockefeller Plaza, 23rd Floor
New York, NY 10112
john.reilly@squiresanders.com
paul.kim@squiresanders.com

David Harlen Sump
Leonard Leroy Fleisig
WILLCOX & SAVAGE PC
Wells Fargo Center
440 Monticello Ave, Suite 2200
Norfolk, VA 23510
dsump@wilsav.com
lfleisig@wilsav.com
Attorneys for Intervenor Plaintiff Noble Chartering Inc.

/s/Michelle T. Hess
Michelle T. Hess (VSB#71080)
HOLLAND & KNIGHT LLP
31 West 52nd Street
New York, NY 10019
(212) 513-3200
(212) 385-9010 (facsimile)
michelle.hess@hklaw.com
*Attorneys for Consolidated Plaintiff
Glory Wealth Shipping Pte Ltd.*